

**POLYLOOM CORPORATION OF
AMERICA, d/b/a TenCate Grass
North America,**

Plaintiff,

V.

**GRASSROOTS ENVIRONMENTAL
EDUCATION, INC.**

Defendant.

Case No. 1:25-cv-14

JURY TRIAL DEMAND

Judge Travis R. McDonough
Magistrate Judge Michael J. Dumitru

**DEFENDANT’S MOTION TO STAY FURTHER PROCEEDINGS
PENDING THIS COURT’S RULING ON TRANSFER**

Pursuant to LR 6.01 and LR 16.01(g), Defendant Grassroots Environmental Education, Inc. submits this Motion to Stay Further Proceedings Pending this Court's Ruling on Transfer for *forum non conveniens* pursuant to 28 U.S.C. § 1404.

In support of this Motion, Defendant would show:

1. On July 29, 2025, this Court issued its order on Defendants’ motion to dismiss the Amended Complaint for lack of personal jurisdiction (the “Order”). The Court’s Order granted the motion in part and denied the motion in part.
2. In the Order, the Court requested briefing on an additional issue – whether the Court should transfer the case to the Eastern District of New York, pursuant to 28 U.S.C. § 1404, based upon the doctrine of *Forum Non Conveniens*. The parties submitted their briefs on August 22, 2025, as directed by the Court. The Court has not yet issued a ruling on this issue.

3. Although this issue was not raised by the Defendants in the motion to dismiss, in the Order, the Court observed that transfer could be ordered by the Court *sua sponte* and requested the briefing in order to assist in determining the question.

4. In the meantime, Plaintiff alleges that Defendant's Answer was due on August 12, 2025, due to the Court dismissing the action as against the Individual Defendants on July 29, 2025, and that Defendant is therefore in default. Plaintiff extended Defendant's time to Answer until September 8, 2025.

5. Defendant's position is that, because the Order directed the parties to brief the transfer issue in connection with its consideration of the motion to dismiss, the motion has not yet been fully disposed. As such, the Defendant's time to Answer has not begun to run.

6. In an abundance of caution, given that the date relied upon by the Plaintiff has passed, Defendant has filed its Answer to the Amended Complaint simultaneously with this Motion.

7. Defendant respectfully submits that proceeding on the merits, setting a case management conference and conducting discovery before deciding which Court will hear the case would be an inefficient use of judicial resources. *See FTC v. E.M.A. Nationwide, Inc.*, 767 F.3d 611, 626-27 (6th Cir. 2014) ("The power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes in its docket with economy of time and effort for itself, for counsel and for litigants, and the entry of such an order ordinarily rests with the sound discretion of the District Court.").

For the reasons set forth above, Defendant respectfully requests that the Court issue an order staying the proceedings pending its decision on the question of transfer.

Respectfully submitted,

s/ Michael A. Johnson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion was served via CM/ECF on the following:

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on this 8th day of September, 2025

s/ Michael A. Johnson